

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION**

#### **JOINT APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES**

**Call to Order:** By **CHAIRMAN CHRISTINE KAUFMANN**, on February 14, 2005 at 10:05 A.M., in Room 102 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Christine Kaufmann, Chairman (D)  
Sen. Dan Weinberg, Vice Chairman (D)  
Sen. John Cobb (R)  
Rep. Joey Jayne (D)  
Sen. Greg Lind (D)  
Rep. Penny Morgan (R)  
Rep. Walter McNutt (R)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Pat Gervais, Legislative Branch  
Laura Good, Committee Secretary  
Lois Steinbeck, Legislative Branch

**Please Note.** These are summary minutes. Testimony and discussion are paraphrased and condensed.

**CHAIR KAUFMANN** called the meeting to order.

**Ms. Steinbeck** provided and discussed an email from Mr. Ed Amberg, Administrator, Montana State Hospital (MSH), regarding the MSH census.

**EXHIBIT(jhh36a01)**

***{Tape: 1; Side: A; Approx. Time Counter: 6 - 23.5}***

**Ms. Joyce De Cunzo, Administrator, Addictive and Mental Disorders Division (AMDD)**, provided and discussed a packet of information requested by the committee, including a description of the proposed crisis system, information regarding AMDD's doubling of its request for I-149 Home and Community Based Services (HCBS) waiver funding, information about MSH patients who have reached maximum benefit from the available treatment program. and information on the need to hire more licensed addiction counselors (LAC's) at the Montana Chemical Dependency Center (MCDC).

**EXHIBIT(jhh36a02)**

***{Tape: 1; Side: A; Approx. Time Counter: 23.9}***

Responding to questions from **SEN. DAN WEINBERG, SD 2, WHITEFISH**, **Ms. De Cunzo** discussed and noted July 1st as a start-date for implementing crisis stabilization centers. She noted current stakeholder work toward this goal; and explained that Requests for Proposals (RFP's) regarding study, development and management for the crisis stabilization centers, are circulated to in-state and out-of-state professionals. **Ms. De Cunzo** also confirmed that AMDD has identified areas most in need of the centers.

In reply to **SEN. JOHN COBB, SD 9, AUGUSTA**, **Ms. De Cunzo** stated that unless HB 395 passes, AMDD would expect counties to continue contributing to individuals' pre-commitment care costs. She also explained that crisis stabilization centers would aim to care for individuals like the 336 whose Fiscal Year (FY) 2004 emergency and court-ordered detentions directed them to MSH.

***{Tape: 1; Side: B}***

**Ms. De Cunzo** told the committee that the \$1 million requested for crisis stabilization centers is a target amount, and that AMDD has not yet determined an exact cost-per-day estimate. She noted that the division expects that some general fund monies will be necessary for center operations.

***{Tape: 1; Side: B; Approx. Time Counter: 3.6}***

Prompted by **CHAIR KAUFMANN, Ms. De Cunzo** stated that without additional staff as requested, AMDD would have to scale back some of its planned program development.

In response to follow-up questions from **CHAIR KAUFMANN, Ms. Steinbeck** provided and discussed information entitled, "Expenditure Requests and Revenues - I-149 funds: Executive Recommendation Compared to Tobacco Alliance Recommendation."

**EXHIBIT(jhh36a03)**

**SEN. COBB** expressed pointed concerns regarding the legality of I-149 expenditures.

**Ms. Steinbeck** discussed I-149 non-supplantation issues and courses of appropriate action. She agreed to bring in an attorney to explain legal issues in greater detail.

***{Tape: 1; Side: B; Approx. Time Counter: 19.2}***

**Mr. Bob Andersen, Office of Budget and Program Planning (OBPP)**, discussed the nature, intent and sustainability of reserve funds and reserve fund expenditures.

**SEN. COBB** expressed concerns about situations that might cause I-149-funded programs to collapse into the general fund.

**Mr. Andersen** addressed **SEN. COBB's** concerns by referring to statute.

***{Tape: 1; Side: B; Approx. Time Counter: 26}***

**Ms. Claudia Clifford, American Association of Retired Persons (AARP); member, Tobacco Alliance**, corrected erroneous figures on Exhibit 3.

***{Tape: 2; Side: A}***

**SEN. COBB** asked **Ms. Clifford** if the Alliance would accept proportionately lower funding in each area of its proposed I-149 budget, in the event that I-149 revenue is lower than expected.

**Ms. Clifford** stated that the Alliance has not yet decided.

**Mr. Hank Hudson, Administrator, Human and Community Services Division (HCSD)**, addressed the committee, providing and discussing information on the Temporary Assistance to Needy Families (TANF) Block Grant Analysis.

**EXHIBIT(jhh36a04)**

***{Tape: 2; Side: A; Approx. Time Counter: 9.5}***

Responding to questions from **REP. PENNY MORGAN, HD 57, BILLINGS**, **Mr. Hudson** stated that TANF federal regulations allow the department to use 15% of grant funds to cover TANF administration. He noted that different grants have different administrative expense calculation methods, and that all eligibility work is considered administrative work.

**Mr. Hudson** returned to Exhibit 4.

Prompted by **SEN. GREG LIND, SD 50, MISSOULA**, **Mr. Hudson** compared childcare populations served by TANF to those served by other divisions and programs.

***{Tape: 2; Side: A; Approx. Time Counter: 14.7}***

**Mr. Hudson** returned to Exhibit 4.

Again responding to **SEN. LIND**, **Mr. Hudson** noted expenditures under the \$1.85 million Achievement Awards funds.

***{Tape: 2; Side: A; Approx. Time Counter: 22.7}***

Replying to **SEN. WEINBERG**, **Mr. Hudson** discussed the Accelerated Employment Services, detailing the program's one-time payouts to encourage employer participation in TANF. He stated that the maximum payout to an employer is \$2500-\$3000 per individual.

At the request of **SEN. LIND**, **Mr. Hudson** discussed TANF's historic and present financial participation in the foster care program.

**Mr. Hudson** returned to Exhibit 4.

In response to questions from **CHAIR KAUFMANN**, **Mr. Hudson** deferred to **Ms. Gervais**, who stated that four to five percent of the TANF grant is transferred into Title XX.

**Mr. Hudson** noted that up to 30% of the TANF block grant can be transferred to the combination of childcare and/or Title XX.

**{Tape: 2; Side: B}**

**Ms. Gervais** advised that the committee may also wish to ask the division how maintenance of effort funds are spent.

Replying to **REP. MORGAN**, **Mr. Hudson** discussed in greater detail the Work Participation and Supports program, including program organization, soft skill and technical skill training, and post-program follow-up.

For **SEN. WEINBERG**, **Mr. Hudson** noted where and how the division holds and uses unspent TANF funds.

At the request of **SEN. COBB**, **Mr. Hudson** discussed possible caseload and benefit reductions in the event that the Blackfeet nation chooses to administer its own TANF program. He noted that of 705 TANF cases in Glacier County this past December, 95% were tribal.

**{Tape: 2; Side: B; Approx. Time Counter: 11.5}**

**REP. MORGAN** asked about the benefits of tribal TANF administration.

**Mr. Hudson** stated that it was the division's policy to neither encourage nor discourage tribal TANF administration, but to provide all supports possible to help interested tribes successfully manage TANF administration. As regards to benefits for the tribe, he noted sovereignty, flexibility, and for some, a larger portion of funds available for each case.

**Mr. Hudson** provided and discussed information on SFY (State Fiscal Year) 2005 TANF Maintenance of Effort (MOE).

**EXHIBIT**(jhh36a05)

Responding to **SEN. LIND** and **CHAIR KAUFMANN**, **Mr. Hudson** said that federal law requires that the state put up \$14.2 million each year in TANF MOE. Otherwise, the state jeopardizes its TANF block grant. He went on to state that the entire \$14.2 million could be allocated for cash benefits, if the Department wanted to cut the other programs that MOE funds currently support.

**{Tape: 2; Side: B; Approx. Time Counter: 18.8}**

**Mr. Hudson** returned to Exhibit 5.

Prompted by **SEN. LIND**, **Mr. Hudson** stated that the \$194,000 TANF system line item indicates monies allocated to yearly TANF system

upkeep costs.

Responding to **REP. JOEY JAYNE, HD 15, ARLEE, Mr. Hudson** discussed specifics of Department of Labor contracts.

***{Tape: 2; Side: B; Approx. Time Counter: 24.4}***

Replying to **SEN. WEINBERG, Mr. Hudson** explained that TANF law states that unless systems costs are spent for tracking and monitoring of work participation, then they count toward administrative costs.

**Mr. Hudson** returned to Exhibit 5.

***{Tape: 3; Side: A}***

**Ms. Steinbeck** informed the committee that she met with Tobacco Alliance representatives and confirmed that all information on the back-page chart of Exhibit 4 is accurate, save Tobacco Alliance amounts for SB 324 and the Premium Tax.

The following exhibit was submitted after adjournment:

**[EXHIBIT\(jhh36a06\)](#)**

**ADJOURNMENT**

Adjournment: 12:00 P.M.

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REP. CHRISTINE KAUFMANN, Chairman

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LAURA GOOD, Secretary

CK/lg

Additional Exhibits:

**EXHIBIT ([jhh36aad0.PDF](#))**